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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/014,108

11/13/2001

Takashi Igarashi

01730/LH

4018

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7590

01/23/2006

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EXAMINER

FRITZ, BRADFORD F

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/014,108	Applicant(s) IGARASHI ET AL.	
	Examiner Bradford F. Fritz	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/13/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-50 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 27 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claim recites "sensing smells around the outputting apparatus", which is insufficiently described in the specification.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 26 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 26 recites the limitation "wherein the check device" which depends on claim 24. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 24-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Kageyama et al (U.S. Patent No. 5,625,757), hereinafter referred to as Kageyama.

8. Regarding claim 24, Kageyama disclosed an apparatus administering system comprising: an image outputting apparatus having a plurality of functions and a plurality of units which are controlled by software (see abstract and figure 35); and an administering apparatus connected with the image outputting apparatus to enable information to be transmitted or received between the image outputting apparatus and the administering apparatus (see abstract, column 2, line 64 – column 3, line 5; column 52, lines 15-24 and column 55, lines 11-41), such that the administering apparatus is enabled to conduct maintenance administration for the image outputting apparatus through the network (see abstract and Figure 3); wherein the administering apparatus obtains working information regarding a working condition of the image outputting through the network and renews the software controlling the plurality of functions and the plurality of units of the image outputting apparatus through the network in accordance with the obtained working information so that the plurality functions and the plurality of units of the image outputting apparatus are maintained operable in an updated state (see column 55, line 57 – column 56, line 20).

9. Regarding claim 33, Kageyama disclosed an apparatus administrating system comprising: an image outputting apparatus having a plurality of units (see abstract); and an administrating apparatus connected with the image outputting such that the administrating apparatus is enabled to control the image outputting apparatus through the network (see abstract and Figure 3); wherein the image outputting apparatus has a function to transmit structural information regarding the plurality of units (see abstract), and the administrating apparatus judges at least one of: (i) compatibility between each of the plurality of units and the image outputting apparatus, and (ii) compatibility among the plurality of units (see column 7, lines 11-38).

10. Regarding claim 44, Kageyama disclosed an apparatus administrating system comprising: an image outputting apparatus having a memory to store error log information (see column 15, lines 15-22 and column 17, lines 9-24); and an administrating apparatus connected with the image outputting apparatus through a network such that the administrating apparatus is enabled to control the image outputting apparatus through the network (see abstract, management server); wherein the administrating apparatus obtains error log information from the image outputting apparatus and judges whether or not a malfunction has occurred in the image outputting apparatus based on error log information (see column 7, lines 11-38).

11. Regarding claim 25, Kageyama disclosed a system wherein the image outputting apparatus comprises a checking device to check the working condition of the image outputting apparatus, and the working information includes check data of the checking device (see abstract and column 4, lines 36-61).

12. Regarding claim 28, Kageyama disclosed a system wherein each of the plurality of functions and each of the plurality of units of the image outputting apparatus is provided with a specified mark for identification and is controlled by specific software, and wherein the administering apparatus obtains working information of each of the plurality of functions and each of the plurality of units and renews the software separately for each plurality of functions and each of the plurality of units (see column 55, line 57 – column 56, line 20).

13. Regarding claim 29, Kageyama disclosed a system wherein the administering apparatus comprises a memory device and stores the working information in the memory device (see column 15, lines 15-22 and column 17, lines 9-24).

14. Regarding claim 30, Kageyama disclosed a system wherein the working information stored in the memory device is available from the image outputting apparatus (see column 15, lines 15-22 and column 17, lines 9-24).

15. Regarding claim 31, Kageyama disclosed a system wherein the system comprises a plurality of said image outputting apparatuses (see abstract), and wherein the administering apparatus obtains working information with respect to each of the plurality of image outputting apparatuses (see column 10, lines 8-24), judges whether or not each of the plurality of image outputting apparatus has any abnormality (see column 10, lines 8-24), and renews the software controlling the image outputting apparatus having the abnormality through the network (see column 55, line 57 – column 56, line 20).

16. Regarding claim 32, Kageyama disclosed a system wherein the maintenance administration conducted by the administrating apparatus includes improvement work and remodeling work for the image outputting apparatus (see column 55, line 57 – column 56, line 20).

17. Regarding claim 34, Kageyama disclosed a system wherein the structural information includes a serial number and a version of software controlling the image outputting apparatus (see column 26, lines 23-27 and column 50, lines 5-16).

18. Regarding claim 35, Kageyama disclosed a system wherein the image outputting apparatus transmits the structural information to the administrating apparatus when the image outputting apparatus is connected to the network (see column 51, line 27 – column 52, line 30).

19. Regarding claim 36, Kageyama disclosed a system where the image outputting apparatus transmits the structural information to the administrating apparatus in response to a request from the administrating apparatus (see abstract and column 4, lines 36-61).

20. Regarding claim 37, Kageyama disclosed a system wherein the image outputting apparatus periodically transmits the structural information to the administrating apparatus (see column 34, lines 9-45, periodically watch the printer error).

21. Regarding claim 38, Kageyama disclosed a system wherein the image outputting apparatus transmits the structural information to the administrating apparatus if the administrating apparatus needs the structural information (see column 34, lines 9-45 and column 4, lines 36-61).

22. Regarding claim 39, Kageyama disclosed a system wherein when the administrating apparatus judges that a compatibility in a version of software between each of the plurality of units and the image outputting apparatus is not proper, the administrating apparatus controls the image outputting apparatus to download compatible software (see column 7, lines 11-38 and column 10, lines 8-24).

23. Regarding claim 40, Kageyama disclosed a system wherein when the administrating apparatus judges that the compatibility in a version of software among each of the plurality of unit is not proper, the administrating apparatus notifies the image outputting apparatus (see column 7, lines 11-38).

24. Regarding claim 41, Kageyama disclosed a system wherein the administrating apparatus notifies the image outputting apparatus of a software incompatibility, selects compatible structure, notifies the image outputting apparatus of the compatible structure.

25. Regarding claim 42, Kageyama disclosed a system wherein the image outputting apparatus has a function to transmit to the administrating apparatus structural information including at least one of specific ID information, producer-specified information (see column 26, lines 23-27 and column 50, lines 5-16), and version information corresponding to software installed in the image outputting apparatus (see column 26, lines 23-27 and column 50, lines 5-16), and wherein the administrating apparatus has a function to judge compatibility of the image outputting apparatus based on the structural information received from the image outputting apparatus (see column 7, lines 11-38).

26. Regarding claim 43, Kageyama disclosed a system wherein the image outputting apparatus has a function to transmit to the administrating apparatus structural information including at least one of specific ID information (see column 26, lines 23-27 and column 50, lines 5-16), producer-specified information, and version information corresponding to each of the plurality of units and each of a plurality of software to the administrating apparatus (see column 26, lines 23-27 and column 50, lines 5-16), and wherein the administrating apparatus has a function to judge compatibility among the plurality of units and the plurality of software (see column 10, lines 8-24), and to automatically switch one of incompatible software and an incompatible unit of the image outputting apparatus or to change a version of the incompatible software (see column 7, lines 11-38 and column 10, lines 8-24).

27. Regarding claim 45, Kageyama disclosed a system wherein the administrating apparatus at least one of changes, revises and updates software controlling the image outputting apparatus based on the error log information (see abstract, and column 33, line 42 – column 34, line 30 and column 55, line 56 – column 56, line 20).

28. Regarding claim 46, Kageyama disclosed a system wherein the image outputting apparatus transmits the error log information in response to a request of the administrating apparatus (see abstract and column 4, lines 36-61).

29. Regarding claim 47, Kageyama disclosed a system wherein the image outputting apparatus transmits the error log information to a request of the administrating apparatus when the error log information is required (see abstract and column 4, lines 36-61).

30. Regarding claim 48, Kageyama disclosed a system wherein the image outputting apparatus transmits the error log information periodically (see column 34, lines 9-45, periodically watch the printer error).

31. Regarding claim 49, Kageyama disclosed a system wherein the image outputting apparatus transmits the error log information when necessary (see column 34, lines 9-45 and column 4, lines 36-61).

32. Regarding claim 50, Kageyama disclosed a system wherein the image outputting apparatus transmits the error log information at a timing corresponding to contents of the error log information stored in the memory (see column 40, lines 14-25 and column 34, lines 9-45).

Claim Rejections - 35 USC § 103

33. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

34. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama in view of Nakamura (U.S. Patent No. 5,970,217).

35. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama in view of Carew et al. (U.S. Patent No. 3,955,073), hereinafter referred to as Carew.

36. Regarding claim 26, Kageyama teaches the invention as described above. However, Kageyama does explicitly not teach a system wherein the check device includes sensors for heat, light and pressure in order to detect changes in values of predetermined physical characteristics. Nakamura teaches a system wherein the check device includes sensors for heat, light and pressure in order to detect changes in values of predetermined physical characteristics (see column 1, lines 11-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the sensors for heat, pressure and light as taught by Nakamura in the system of Kageyama, because both Nakamura and Kageyama are from the same field of endeavor of printing systems, and by detecting errors with various sensors provides a system wherein there is an improved means for if the "recording of image data has been performed normally can be judged automatically" (see abstract).

37. Regarding claim 27, Kageyama teaches the invention as described above. However, Kageyama does explicitly not teach a system wherein the check device includes a monitor for photographing the working condition of the image outputting apparatus, sensing sounds around the image outputting apparatus, and sensing smells around the image outputting apparatus. Carew teaches a system wherein the check device includes a monitor for photographing the working condition of the image outputting apparatus, sensing sounds around the image outputting apparatus, and

sensing smells around the image outputting apparatus (see column 3, lines 39-51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the sensors for chemicals and acoustics as taught by Carew in the system of Kageyama, because both Carew and Kageyama are from the same field of endeavor of printing systems, and by detecting with sensors provide a system that provides for improved "automatic analysis and standard automatic data processing outputs" (see column 2, lines 3-5).

Conclusion

12. THIS ACTION IS MADE NON-FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawanabe (2002/0001100) Image processing system, image data processing method, and storage medium.

Boswell (U.S. Patent No. 5,559,933) Distributed enterprise print controller.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradford F. Fritz whose telephone number is 571-272-3860. The examiner can normally be reached on 8:00 - 4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2141

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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